



1722

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Lees et al.
Serial No.: 10/787,032
Filed: February 24, 2004*
For: DIRECT INJECTION MOLDED
CLOSURE AND METHOD
THEREFOR
Attorney
Docket No.: TRX-0628 Con 01 (4346/91547)

Art Unit.: 1722
Examiner: Timothy W. Heitbrink
Conf. No.: 3902

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Sir:

The owner, Tetra Laval Holdings and Finance, S.A. of Pully, Switzerland, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent granted on pending U.S. Patent Application Serial No. 10/124,968, filed on April 18, 2002, the assignment of which to Tetra Laval Holdings and Finance, S.A. of Pully, Switzerland is by virtue of assignment of the parent application of both applications, U.S. Patent Application Serial No. 09/594,247, filed June 15, 2000, (now U.S. Patent No. 6,467,238), recorded on June 15, 2000, on reel 010904, at frame 0156. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patents that issue from pending U.S. Patent

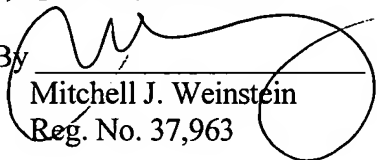
Application Serial No. 10/124,968 is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on pending U.S. Patent Application Serial No. 10/124,968, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record.

The terminal disclaimer fee under 37 C.F.R. 1.20(d) is enclosed.

Respectfully submitted,

By 
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Dated: December 13, 2004
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